

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEON MICHAEL GRIER,	)	
	)	
Plaintiff,	)	Civil Action No. 07-138
	)	
v.	)	Judge McVerry
	)	Magistrate Judge Caiazza
JOSEPH R. DeMARCHIS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Deon Michael Grier's complaint pursuant to 42 U.S.C. §1983 was sent to the court along with a petition to proceed in forma pauperis on February 5, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 9, 2007, recommended that the complaint be dismissed as frivolous. The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to the Westmoreland County Jail. Objections were due on or before February 26, 2007, but none have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 5<sup>th</sup> day of March, 2007,

IT IS HEREBY ORDERED that the Complaint is DISMISSED AS FRIVOLOUS.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 2), dated February 9, 2007, is adopted as the opinion of the court.

s/Terrence F. McVerry  
U.S. District Court Judge

CC:  
Deon Michael Grier, 1866-06  
Westmoreland County Jail  
3000 South Grande Boulevard  
Greensburg, PA 15601